



U.S. Department of the Interior
"To-Be" Trust Business Model
Process Template

Title: Close Land Use Contract

Identify the process in the "Verb Noun" format. (Ex: Maintain Ownership)

Process Number
UM.2.8

1. Process Definition *Provide an overview of the process and define its starting and ending points*

1.1 Starts With	Contract expiration or receive request to terminate the land use contract for cause
1.2 Process Overview	<p>Ninety days prior to the expiration of the contracting period, the intent of the existing operator to renew is determined. An inventory of fixed assets that belong to the existing operator and will be removed at the end of the contracting period is documented. If leasehold improvements have been made under an agricultural use contract, the lessee is required to remove the improvements within thirty days of the termination or expiration of the contract. If he/she/they do not comply, the improvement(s) become the property of the landowner(s).</p> <p>A final compliance check is conducted to ascertain if the lessee/operator has met all the requirements to return the property in its original condition or the completion of conservation/management applications. A request may be made for attachment or conversion of any escrow assets to recover damages or amounts due.</p> <p>A land use contract is closed and returned to the pool of available land and natural resources. A cancellation of the land use contract may occur prematurely if non-compliance is identified and cancellation is recommended to protect trust resources from waste and abuse.</p>
1.3 Stops With	The contract termination or expiration is final (any appeals have been addressed and all contractual obligations have been satisfied).

2. Trust Business Objectives *Identify the Comprehensive Trust Model strategic goals and business objectives to which this process contributes.*

Goal/Objective
GOAL 4: LAND AND NATURAL RESOURCES MANAGEMENT THAT MAXIMIZES RETURN WHILE MEETING BENEFICIARY DESIRES
OBJECTIVE 4.1: LAND AND NATURAL RESOURCE ASSET PLANS AND STEWARDSHIP STRATEGIES Develop land and natural resource asset plans and stewardship strategies.
OBJECTIVE 4.2: PRESERVATION AND PROTECTION OF LAND AND NATURAL RESOURCE ASSETS Preserve and protect the long-term viability of land and natural resource assets consistent with fiduciary duties and with the beneficiaries' intended use of the as-sets.
OBJECTIVE 4.3: LAND AND NATURAL RESOURCE ASSET BUSINESS MANAGEMENT Manage land and natural resource assets effectively and proactively to obtain fair market value for beneficiaries and to incorporate beneficiary requirements.



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Goal/Objective

OBJECTIVE 4.4: APPRAISALS

Obtain appraisal information, as needed, on trust and restricted lands for tribal and individual Indian owners, using methods and techniques that meet professional standards.

3. How should Beneficiaries be involved in this process?

Beneficiary Involvement

A beneficiary may request a compliance measure be performed that may lead to pre-mature cancellation for cause.

4. Organizations, Offices and Roles. *Identify the DOI organizations and related roles that should be involved in performing the process.*

4.1 DOI Organizations. *Identify the DOI organizations, offices and individual roles that contribute to this process.*

DOI organizations include the Office of the Secretary, BIA, OST, BLM, MMS, OHA, OSM among others.

Offices include Central Offices, Regional Offices, Agency(Field) Offices, etc.

All individual roles that contribute, in a significant manner, should be identified.

Organization	Office	Role	Contribution
BIA	Agency		May decide a land use contract warrants closure. Record the closure of a land use contract. Update the available land use listing.
Consortium	Program Office		May decide a land use contract warrants closure. Record the closure of a land use contract. Update the available land use listing.
Compacted or Contracted Tribe	Program Office		Perform all DOI functions except those considered inherently federal.



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4.2 External Organizations. *Identify the non-DOI organizations that support the execution of or contribute to this process.*

External Organization	Contribution
None	

5. Event(s) *Identify the events or conditions that start the process. Describe each event and indicate the frequency (daily, monthly, quarterly, etc.) in which each event is expected to occur. An event may be an external interaction (a beneficiary submits an application), the expiration of a period of time (a lease is due to expire in 90 days), or the realization of some pre-defined threshold (an IIM account reaches the automatic disbursement threshold).*

Event	Description	Estimated Frequency
Request to close land use contract	Land use contract terms and conditions may allow for	
Instance of non-compliance	Non-compliance issues may warrant cancellation of the land use contract.	

6. Inputs and Outputs. *Identify and describe all inputs and outputs related to this process. Inputs are information or materials used during the execution of the process; outputs are materials or information produced by the process.*

6.1 Inputs

Input	Description
Program Use Plan	Resources inventories and status, estimated FMV, history,
Tribal Preferences	Tribal priorities for applicants
Report of non-compliance	Non compliance of the land use contractor may require cancellation of the land use contract.

6.2 Outputs

Output	Description
Closed land use contract for cause	Provides notification to return the land to the available lands pool



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Output	Description
Closed land use contract for natural expiration	An automated notification will be generated up to one year in advance of expiration of current leases to program specialist to start the management unit and contract preparation for the new contract period.

9. Fiduciary and Legal Obligations and Controls

7.1 Obligations

Identify and describe the legal and fiduciary obligations that impact this process. For each obligation, indicate the document or commitment that defines the obligation and the citation (paragraph or section) within the document that pertains to this process.

Obligation	Source	Business Impact
See attached Schedule 1		

7.2 Controls

Identify and describe any controls (enforcement mechanisms) that may be used to ensure that the process adheres to obligations and internal process requirements. Controls may be reviews, audits, segregated duties, etc. Indicate the reason that each control should be introduced (name the obligation that a control is intended to enforce; indicate any controls required to ensure consistency or reliability).

Control	Reason	Description
IAMs	Internal control	
Handbooks and Manuals	Internal control	

9. Mechanisms (Systems of Record)

Identify the mechanisms, or systems, that are needed to support the process (ex: Ownership, Leasing, Workflow Management, Office Filing System, etc.). Indicate the information and activities, relevant to this process, that each system supports.

System Name	Support
Title system	System should allow for recordation of the closure of the encumbrance.
Realty system	System should allow for return expiring Land Use contracts to the pool of available land for contracts.



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9. Inter-Process Relationships Identify other trust processes that are related to this process (either predecessors or successors). If applicable, indicate the condition under which the processes are related.

9.1 Predecessors. Predecessors are processes that either produce information required by this process or that result in the need to execute this process.

Process No.	Name	Condition of Relationship
UM.2.1	Solicit Land Use Contracts	Advertise land availability prior to land use contract closure.
UM.2.7	Administer Land Use Contract	Modification of the land use contract may fail and merit closure of the land use contract.
UM.4.4	Perform Enforcement Action	Closure of the land use agreement may be considered the most appropriate remedy for enforcement of land use contract.

9.2 Successors. Successors are processes that either use information produced by this process or that must be executed as a result of performing this process.

Process No.	Name	Condition of Relationship
None		

10. Comments Summarize any discussion, problems, issues or recommendations that should be considered when reviewing process performance. Category Values (Note, Best Practice, Decision, Problem, Issue, Recommendation)

Category	Comment
	None